



OFFICE OF THE TOWN CLERK

**Town of Arlington
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Arlington, MA 02476**

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**Juliana H. Brazile
Town Clerk**

ARTICLE 26

**ZONING BYLAW AMENDMENT/ INDUSTRIAL DISTRICT
DEVELOPMENT STANDARDS**

VOTED:

YES – 203 NO – 3

COUNTED 2/3 MAJORITY (QUORUM PRESENT)

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.6.2:

(D)(7) Development Standards, Exceptions to Maximum Height Regulations in the Industrial District

For new development or additions that would otherwise be subject to Section 5.3.19, heights over 39 feet or three stories are allowed subject to the following development standards:

- Demonstrate that new buildings or additions shall allow for full sun at least half the time or 50% sun coverage all the time on March 21, June 21, September 21, and December 21 on the lots within the required residential buffer as defined in Section 5.3.19. The Redevelopment Board or Board of Appeals, as applicable, shall find that any shadow on abutters with existing solar panels would be negligible to allow the higher height limit.
- Provide one (1) of the following sustainable roof infrastructure components. In the case of a building that is solar ready per Section 5.6.2.D(1), the component should cover the remaining roof area where appropriate:
 - Install a vegetated or green roof over 50% of the roof area.
 - Use diffuse, highly reflective materials on 75% of the roof area.
 - Install solar energy panels tied to the electrical system of the building. For new commercial or mixed-use buildings, provide solar PV and/or solar thermal on a minimum of 50 percent of the roof area.
 - Provide 100% highly reflective concrete topping.
 - Install a blue roof over 50% of the roof area to provide initial temporary water storage and then gradual release of stored water.

Retain and treat 100% of stormwater on-site. Demonstrate that the proposed activity will not result in stormwater runoff or discharge from the site during storm events, based on the best currently available rainfall data for the upper bound of 90% confidence interval of the 100-year storm as defined in NOAA Atlas 14, Volume 10, or its successor. All infiltration Best Management Practices (BMPs) must be able to drain fully within 72 hours.

Remove stormwater pollution to the maximum extent possible, at minimum 90% of Total Suspended Solids (TSS) and 60% of Total Phosphorus. A minimum TSS removal prior to discharge to an infiltration BMP(s) must comply with the Massachusetts Department of Environmental Protection Stormwater Policy as amended from time to time.

**A true copy of the vote under
Article 26 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held on May 3, 2023.**

ATTEST: 

Town Clerk



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ARTICLE 27

**ZONING BYLAW AMENDMENT/ SOLAR BYLAW IN
INDUSTRIAL DISTRICTS**

VOTED:

YES – 207 NO – 2

COUNTED 2/3 MAJORITY (QUORUM PRESENT)

That the Zoning Bylaw be and hereby is amended as follows:

Amend Section 5.6.2:

5.6.2(D)(1) Development Standards, Renewable Energy Installations

D. Development Standards. In the Industrial District, the following requirements apply to all new development or additions over 50% of the existing footprint:

(1) Renewable Energy Installations

- The Redevelopment Board may, by special permit, allow adjustments to the height and setbacks in order to accommodate the installation of solar photovoltaic, solar thermal, living and other eco-roofs, energy storage, and air-source heat pump equipment. Such adjustments shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site, consistent with the other requirements of this section.
- All new commercial and mixed-use buildings subject to Environmental Design Review shall ~~be solar ready~~ comply with Section 6.4, Solar Energy Systems. All new commercial buildings not subject to Environmental Design Review shall be solar ready to the extent feasible.
- If not subject to Environmental Design Review, Additions additions over 50% of the footprint of existing buildings shall be solar ready to the extent feasible.

5.6.2(D)(7) Development Standards, Exceptions to Maximum Height Regulations in the Industrial District

For new development or additions that would otherwise be subject to Section 5.3.19, heights over 39 feet or three stories are allowed subject to the following development standards:

- Demonstrate that new buildings or additions shall allow for full sun at least half the time or 50% sun coverage all the time on March 21, June 21, September 21, and December 21 on the lots within the required residential buffer as defined in Section 5.3.19. The Redevelopment Board or Board of Appeals, as applicable, shall find that any shadow on abutters with existing solar panels would be negligible to allow the higher height limit.

- Provide one (1) of the following sustainable roof infrastructure components. Projects requiring Environmental Design Review are subject to section 6.4, Solar Energy Systems, and must therefore provide one additional component. In the case of a building that is solar ready per Section 5.6.2.D(1), the component should cover the remaining roof area where appropriate:
 - Install a vegetated or green roof over 50% of the roof area, or the portion of the roof without a solar energy system, whichever is less.
 - Use diffuse, highly reflective materials on 75% a significant proportion of the roof area that does not include solar.
 - For projects not subject to Environmental Design Review, Installinstall solar energy panels tied to the electrical system of the building. For new commercial or mixed-use buildings, provide solar PV and/or solar thermal on a minimum of 50 percent of the roof area.
 - Provide 100% highly reflective concrete topping on a significant portion of the roof area without a solar energy system.
 - Install a blue roof on a significant portion of the roof area without a solar energy system ~~over 50% of the roof area~~ to provide initial temporary water storage and then gradual release of stored water.
 - Retain and treat 100% of stormwater on site.

**A true copy of the vote under
Article 27 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held on May 3, 2023.**

ATTEST: 
Town Clerk



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**ARTICLE 28 ZONING BYLAW AMENDMENT/ BUILDING INSPECTOR
ENFORCEMENT**

**VOTED: YES – 203 NO – 1
COUNTED 2/3 MAJORITY (QUORUM PRESENT)**

That the Zoning Bylaw be and hereby is amended as follows:

Amend Section 3.1:

- A. The Building Inspector appointed under the provisions of G.L. c. 143 is hereby designated and authorized as the officer charged with the administration and enforcement of this Bylaw.
- B. No person shall erect, construct, reconstruct, convert, or alter a structure, or change the use or lot coverage, increase the intensity of use, or extend or displace the use of any structure or lot without applying for and receiving the required permit(s) from the Building Inspector. ~~No such permit shall be issued until the Building Inspector finds that the applicant is in compliance with the applicable provisions of Title VI, Article 7 of the Town Bylaws³.~~

³~~Per the Massachusetts Attorney General decision on zoning amendments approve by 2020 Special Town Meeting, Subsection 3.1(B) cannot be applied to authorize the withholding of a building permit for failure to comply with general bylaw requirements. See <https://www.arlingtonma.gov/home/showdocument?id=63690&t=638097422294281171> for the full text.~~

**A true copy of the vote under
Article 28 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held on May 3, 2023. .**

**ATTEST: *Juliana H. Brazile*
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ARTICLE 29

**ZONING BYLAW AMENDMENT/DOWNTOWN BUSINESS
PARKING MINIMUMS**

VOTED:

YES – 203 NO – 3

COUNTED 2/3 MAJORITY (QUORUM PRESENT)

That the Zoning Bylaw be and hereby is amended as follows by making the following changes to Section 6.1 of the Zoning Bylaw (“Site Development Standards”, “Off-Street Parking”):

Amend Section 6.1.2. Applicability

A. No land, building, or structure shall be used or changed to a category of greater parking demand, determined in accordance with the Table of Off-Street Parking Regulations below, except in accordance with this Section 6.1.

B. Non-residential uses in the B5 District shall not be required to provide off-street parking.

**A true copy of the vote under
Article 29 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held on May 3, 2023.**

ATTEST: *Juliana H. Brazile*

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**ARTICLE 31 ZONING BYLAW AMENDMENT/INDUSTRIAL DISTRICT
ANIMAL DAYCARE USE**

**VOTED: YES – 210 NO – 1
COUNTED 2/3 MAJORITY (QUORUM PRESENT)**

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.6.3:

By inserting a row under “Veterinary and animal care; accessory overnight boarding only for veterinary/medical care in an enclosed building” for the specific use, “Animal day care”, and adding the letter “Y” to the “Use Regulations for MU, PUD, IT, T, and OS Districts” table in Section 5.6.3, in the under the column labeled “I”; so that last row under “Personal, Consumer, and Business Services” in the table reads as follows:

5.6.3 Use Regulations for MU, PUD, I, T, and OS Districts

Class of Use	MU	PUD	I	T	OS
Personal, Consumer, and Business Services					
Veterinary and animal care; accessory overnight boarding only for veterinary/medical care in an enclosed building		Y			
<u>Animal day care</u>			<u>Y</u>		

**A true copy of the vote under
Article 31 of the Warrant for the
Annual Town Meeting of the
Town of Arlington at the session
held on May 10, 2023.**

**ATTEST: *Juliana H. Brazile*
Town Clerk**